

SUPPLEMENT

377

invasion by land-hungry Hindus of the highlands and backwoods, 114
with its accompaniment of money-lenders, cloth pedlars, lawyers'
touts, landlords and forest contractors.

The terms of reference for my aboriginal enquiry directed my 657
special attention to the conditions in the tribal tracts which had been
declared Partially Excluded Areas under the Government of India
Act of 1935. Those are the tracts, speaking generally, where the
tribes still constitute a majority of the population and by thus being
able to preserve much of their own traditional way of life can still
present something of a united front to the invasion of new settlers
and new ideas.¹ The Partially Excluded Areas of Chanda district
include the huge Ahiri zamindari of Sironcha tahsil and the Garcholi
tahsil zamindaris of Dhanora, Dudhmala, Jharapapara, Khutgaon,
Kotgal, Muramgaon, Palasgarh, Rangi, Sirsundi, Sonsari, Chandala,
Gilgaoni, Pai-Muranda, Potegaon and Gewardha. My enquiries
therefore gave me a long desired chance of seeing the Marias of
Chanda. These zamindaris have a total area of 4,013 square 161
miles, mostly of hill and forest, and had in 1941 a population
of 115,031; this figure included 70,821 'aboriginals', so that
out of every 1,000 persons, 607 were tribal. In the 1931 census
34,776 of the Gonds of these zamindaris were returned as Marias,
against a total of 34,986² Marias for all the British districts
of the Central Provinces, leaving only some 210 Marias for the
Ahalas areas of Chanda district and the zamindaris of the Partially
Excluded Areas of Drug district. The total strength of the Maria
tribe in the British districts of the province is given in the 1941
census summary as 39,553,³ district figures not being shown.
Almost all of these will have been returned from the Chanda
Partially Excluded Areas.

It has been indicated in this book how vague are the terms 101
'Maria' and 'Muria',⁴ and how all the tribes thus vaguely desig-
nated speak of themselves as Koitor or Koi, distinguishing between
one group and another by such terms as Highland Koitor, or Lowland
or Plains Koitor. Let it be remembered that the word Maria is not
a Gondji word and that all Gondji-speaking Gonds throughout the
Central Provinces and Berar and Hyderabad State speak of them-
selves as Koitor; then it will be realized how unprecise, unscientific
a term 'Maria' really is. Here in these Chanda zamindaris it is

¹ Any investigator of tribal conditions soon realizes that the tribesmen
inside the Partially Excluded Areas are not yet in as bad a plight as their
kinmen outside those areas, in the more 'advanced' districts, where they are
steadily losing such land as is left to them and sinking to the status of landless
labourers in the service of those who have expropriated them.

² and ³ *Census of India, 1941, Vol. I, Part I, Table XIV, p. 118.*

⁴ See pp. 35-6, 42, 44, 45-50.

623 that may follow an unatoned adultery, the offence to the
 674 Ancestors of division within the clan. The secular leaders
 are more concerned with the fatiguing inconvenience of a
 police enquiry, and the embarrassment and waste of time of
 going as witnesses to a distant court. Village officialdom, it
 may be safely said, is anxious to prevent crime. It is equally
 anxious, when a crime has been committed, to hush it up.
 But hushing up does not mean that crimes will go unpunished.
 This might well bring on a village the vengeance of the Dead.

657 Behind this intense belief and organized activity native
 to the soil rises the massive and alien structure of the Indian
 Penal Code. This majestic formulary was first drafted in
 1837 by a Law Commission under the presidentship of Lord
 Macaulay. Its provisions extend throughout British India,
 and it has been applied with certain modifications to Bastar
 State. The Civil Code of British India is also largely
 operative in the State. We thus have the remarkable, but
 not unusual, picture of tribesmen still deeply attached to
 their own ethical and penal system, still regulating their lives
 by their own laws of ownership, partition and inheritance,
 but unable to invoke any sanctions to enforce them and
 compelled in time of need to turn to a foreign Code that was
 made without any reference to their traditions and the
 conditions under which they live. J. H. Hutton has called
 attention to the result:

Tribal customs which regulate the ownership, usufruct
 or transfer of land are normally superseded by a code
 in the application of which the tribe is deprived of its
 property, generally in the name of law, either by
 alienation to foreigners or by transferring the trusteeship
 of a tribal chief into absolute ownership of a kind
 quite foreign to the customs of a tribe. This has befallen
 both the Munda and the hill tribes of Chittagong,
 while even in Rajputana a somewhat similar process has
 been at work. A similar application of alien law also
 usually disturbs the tribal customs of debt. The criminal
 law of a civilized community is often at variance with
 what is felt to be just and proper by tribal custom.
 The complicated system of administration of justice has
 tended to impair the natural truthfulness and honesty
 of the people and social solidarity of the tribes and has
 weakened the authority of the social heads and the
 respect they formerly commanded.